

UNITED STATES DISTRICT COURT

for the
Southern District of West Virginia

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Samsung Galaxy S10+, model SMG975U, IMEI:
352695100185181

Case No. 2:19-mj-00099

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Samsung Galaxy S10+, model SMG975U, IMEI: 352695100185181, located in Charleston, Kanawha County, West Virginia in the custody of the United States Postal Inspection Service.
located in the Southern District of West Virginia, there is now concealed (identify the person or describe the property to be seized):

See Attachment A.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
21 U.S.C. §§ 841 (a)(1) and 846	Possession with Intent to Distribute Methamphetamine and Conspiracy to Distribute

The application is based on these facts:
See Attached Affidavit.


- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature
Joshua D. Mehall, United States Postal Inspector
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone (specify reliable electronic means).

Date: 09/11/2019

City and state: Beckley, West Virginia


Judge's signature
Omar J. Aboulhson, United States Magistrate Judge
Printed name and title

ATTACHMENT A

Samsung Galaxy S10+, model SMG975U, IMEI: 352695100185181, seized from John Harvey Bush, Jr. on September 5, 2018 and currently located in the Charleston, West Virginia Office of the United States Postal Inspection Service.

This warrant application seeks authorization to conduct a digital forensic examination of the contents of the phone in order to obtain the following information:

All stored information to include images, text messages, emails, videos, contact lists, call logs, notes, memos, location information, IP addresses, subscriber information, application, software information, map data, calendars, and ledgers.

A F F I D A V I T

STATE OF WEST VIRGINIA

COUNTY OF KANAWHA, to-wit:

I, Joshua D. Mehall, being duly sworn, hereby depose and state as follows:

1. This affidavit is made in support of an application for a warrant authorizing the search of a Samsung Galaxy S10+, model SMG975U, IMEI: 352695100185181, seized from John Harvey Bush, Jr. on September 5, 2019, incident to his arrest at a residence located at 2607 6th Avenue, Charleston, West Virginia. The mobile phone is currently located in Charleston, Kanawha County, West Virginia in the custody of the United States Postal Inspection Service.

2. I am a United States Postal Inspector employed with the United States Postal Inspection Service since February 2007. My responsibilities include the investigation of crimes involving the United States Postal Service and crimes furthered through the use of the United States Mail. This includes the investigations of controlled substances sent through the United States Mail. I have extensive experience with narcotics investigations and in the interdiction of illegal drugs shipped via the United States Mail, and have received training relative to criminal investigations and narcotics trafficking from the United States Postal Inspection Service. I have further been trained to locate, identify, and disrupt drug trafficking organizations engaged in ongoing and

repeated transmission of illegal controlled substances and the proceeds from the sale and distributions of controlled substances via the United States Mail. I have personally identified and disrupted numerous such organizations in the past and employ substantive investigative techniques to identify and stop subjects who have used and by apparent indications intend to continue to use the United States Mail as a means of engaging in such illicit activity. In this capacity, I have been the affiant on numerous federal search and seizure warrants.

BACKGROUND OF INVESTIGATION

3. Since January 2018, your affiant has been working an investigation, with other agencies, involving the distribution of large quantities of methamphetamine coming from Los Angeles, California to multiple addresses in and around the greater Charleston, West Virginia area. Your affiant has seized US Mail packages containing large amounts of methamphetamine as part of this investigation. As part of the investigation, law enforcement has an ongoing Mail Watch seeking large parcels originating from Los Angeles, California and surrounding areas destined to addresses in the greater Charleston, West Virginia area.

7. On September 4, 2019, your affiant was notified that there was a suspicious package: a U.S. Postal Service Priority Mail Package bearing tracking number "9505513908479246248353" with a

return address of "Tony Alston, 4426 11th Ave, Los Angeles, CA 90008" and a delivery address of "Mark Alston, 174 Wertz Ave, Charleston WV, 25311" (hereinafter referred to as the "SUBJECT PARCEL"). The SUBJECT PARCEL is a larger brown box with a handwritten Priority Mail Label. SUBJECT PARCEL was mailed on September 3, 2019 from Los Angeles, California with \$74.35 postage affixed. The SUBJECT PARCEL matched the characteristics of the Mail Watch inbound from Los Angeles, California to "174 Wertz Ave, Charleston, WV 25311". Your affiant and other law enforcement proceeded to the Charleston Mail Processing and Distribution Center (P&DC), and identified and reviewed the SUBJECT PARCEL, and found, among other characteristics, the SUBJECT PARCEL bore a handwritten label, was excessively taped, and was being sent from California, a known source state for illegal drugs coming into the Southern District of West Virginia.

8. On September 5, 2019, Deputy Keadle, Kanawha County Sherriff's Office (KCSO), provided her trained narcotic detection dog, "Paco". Paco has experience with narcotics investigations including drug parcels and was last certified in April 2019. The SUBJECT PARCEL was placed in a line-up with four (4) additional boxes of various shapes and sizes. Paco conducted an exterior examination of all the parcels. Dep. Keadle informed me that Paco

positively alerted on the SUBJECT PARCEL indicating the presence of the odor of a controlled substance.

9. On September 5, 2019, PI Mehall applied for and received a federal search warrant for the SUBJECT PARCEL. Upon executing the warrant, law enforcement seized 18 ziploc bags, which were secreted inside a plastic container inside the SUBJECT PARCEL. The 18 bags contained a white crystal substance with a total weight of 18 lbs, 4 oz. The crystal substance field tested positive for methamphetamine.

10. PI Mehall removed approximately 11.2 grams of the crystal substance as a representative sample to be placed back in the original packaging for an attempted controlled delivery. The remainder of the crystal substance was entered into evidence. The representative sample was placed back in the original packaging, along with three reams of paper and additional inside packaging in order to approximate the weight of the original SUBJECT PARCEL.

11. On September 5, 2019, the SUBJECT PARCEL was delivered to 174 Wertz Ave, Charleston, WV 25311. The SUBJECT PARCEL was left on the porch of the residence, and was watched by law enforcement. A few minutes after the SUBJECT PARCEL was left on the porch, law enforcement informed PI Mehall that a black male, later identified as JOHN HARVEY BUSH, JR. (BUSH), had arrived in a silver Chrysler Aspen with a West Virginia license plate number

45D359 (SUBJECT VEHICLE). The license plate for SUBJECT VEHICLE was later confirmed to belong to a J.H. Bush. BUSH exited SUBJECT VEHICLE, picked up SUBJECT PARCEL, and then returned to SUBJECT VEHICLE placing SUBJECT PARCEL in the back seat.

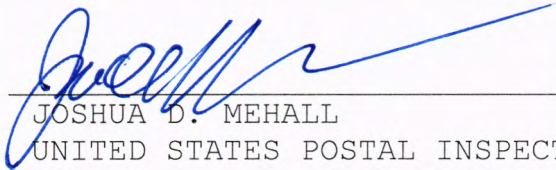
12. Law enforcement followed BUSH to 2607 6th Avenue, Charleston, West Virginia (SUBJECT RESIDENCE). BUSH parked SUBJECT VEHICLE on the street, removed SUBJECT PARCEL from the back seat, and entered SUBJECT RESIDENCE. Law enforcement approached SUBJECT RESIDENCE and knocked on the front door. BUSH looked out the front window and then fled through the back door. Officers stationed at the back of SUBJECT RESIDENCE were able to apprehend BUSH as he exited.

13. After he was apprehended exiting the residence, law enforcement attempted to interview BUSH. Law enforcement read BUSH his Miranda Warnings, and BUSH asked for his attorney. The interview was terminated. BUSH was subsequently taken into custody and transported by law enforcement to the regional jail pending a federal criminal complaint, which was filed the next day, September 6, 2019. Incident to his arrest, and prior to transport, the Samsung Galaxy S10+, model SMG975U, IMEI: 352695100185181 was removed from BUSH's pants pocket, and maintained in the custody of the United States Postal Inspection Service.

8. I know based upon my training and experience that when individuals use "smart phones" such as a Galaxy s10+ in the course of a drug trafficking enterprise, evidence of their activities remain on the memory of the phone. Such evidence includes messages, contact lists, call logs, photographs of drugs, money, and co-conspirators, information relative to the ownership, registration, and usage of the device, location information in the form of address searches and mapping information relative to travel in furtherance of the enterprise as well as email communication with suppliers and customers, calendar information, ledgers, and notes.

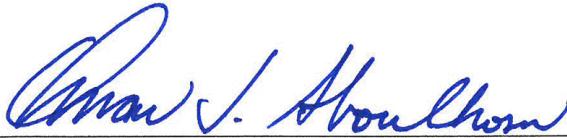
9. The information set forth herein establishes probable cause that BUSH has engaged in drug trafficking in violation of 21 U.S.C. §§ 841 (a)(1) and 846, that is, possession with intent to distribute methamphetamine and conspiracy to distribute methamphetamine. Further, there is probable cause that evidence of those offenses is currently stored in the memory of the Samsung Galaxy S10+, model SMG975U, IMEI: 352695100185181.

Further your affiant sayeth naught.



JOSHUA D. MEHALL
UNITED STATES POSTAL INSPECTOR

Sworn to before me this 11th Day of September, 2019.



Omar J. Aboulhosn
United States Magistrate Judge